

Certificate of Mailing

"Express Mail" mailing label number EV 330 963 920 US. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated and is addressed to: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on July 25, 2003.

By: Diane KizerPrinted: Diane Kizer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a **CONTINUATION** application under 37 CFR 1.53(b) of pending prior application Serial No. 09/454,060, filed on December 2, 1999, entitled ANTIBODIES SPECIFICALLY BINDING CYCLIC NUCLEOTIDE PHOSPHODIESTERASE, which is a divisional application of U.S. Patent Application Serial No. 09/255,748, filed February 23, 1999, now U.S. Patent No. 6,080,548, issued June 27, 2000, which is a divisional application of U.S. Patent Application Serial No. 08/974,565, filed November 19, 1997, now U.S. Patent No. 5,932,423, issued August 3, 1999, which is a continuation-in-part application of U.S. Patent Application Serial No. 08/624,663, filed March 25, 1996, now U.S. Patent No. 5,798,246, issued August 25, 1998, all entitled "Novel Cyclic Nucleotide Phosphodiesterases," the contents of which are expressly incorporated in their entirety herein by reference.

X Enclosed is a specification corresponding to the prior application, U. S. Application Serial No. 09/454,060, filed on **December 2, 1999**, including the oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.

With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant continuation application is identical with the computer readable form filed with Serial No. , filed , to which priority is claimed. In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed with U.S. Application Serial No. as the computer readable form for the instant continuation application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application.

Amend the specification by inserting after the title: "This application is a application of U.S. application serial number , filed , all of which applications and patents are hereby incorporated herein by reference."

X Cancel in this application original claims 19-27 and 30-60 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.

X The inventor(s) of the invention being claimed in this application is (are): Janice Au-Young, Benjamin G. Cocks, Roger Coleman, Jeffrey J. Seilhamer and Douglas A. Fisher.



X	The prior application is assigned of record to <u>Incyte Corporation, formerly known as Incyte Genomics, Inc., also formerly known as Incyte Pharmaceuticals, Inc.</u> , recorded on January 15, 1999, at reel /frame 9718/0495.																								
X	<p>The power of attorney of the prior application is to:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Narinder S. Banait</td> <td style="width: 50%; text-align: right;">Reg. No. 43,482</td> </tr> <tr> <td>Adam Warwick Bell</td> <td style="text-align: right;">Reg. No. 43,490</td> </tr> <tr> <td>Lucy J. Billings</td> <td style="text-align: right;">Reg. No. 36,749</td> </tr> <tr> <td>Michael C. Cerrone</td> <td style="text-align: right;">Reg. No. 39,132</td> </tr> <tr> <td>Diana Hamlet-Cox</td> <td style="text-align: right;">Reg. No. 33,302</td> </tr> <tr> <td>Matthew R. Kaser</td> <td style="text-align: right;">Reg. No. 44,817</td> </tr> <tr> <td>Colette C. Muenzen</td> <td style="text-align: right;">Reg. No. 39,784</td> </tr> <tr> <td>Lynn E. Murry</td> <td style="text-align: right;">Reg. No. 42,918</td> </tr> <tr> <td>Danielle M. Pasqualone</td> <td style="text-align: right;">Reg. No. 43,847</td> </tr> <tr> <td>Susan K. Sather</td> <td style="text-align: right;">Reg. No. 44,316</td> </tr> <tr> <td>David G. Streeter</td> <td style="text-align: right;">Reg. No. 43,168</td> </tr> <tr> <td>Christopher Turner</td> <td style="text-align: right;">Reg. No. 45,167</td> </tr> </table> <p>The associate power of attorney in the prior application is to:</p>	Narinder S. Banait	Reg. No. 43,482	Adam Warwick Bell	Reg. No. 43,490	Lucy J. Billings	Reg. No. 36,749	Michael C. Cerrone	Reg. No. 39,132	Diana Hamlet-Cox	Reg. No. 33,302	Matthew R. Kaser	Reg. No. 44,817	Colette C. Muenzen	Reg. No. 39,784	Lynn E. Murry	Reg. No. 42,918	Danielle M. Pasqualone	Reg. No. 43,847	Susan K. Sather	Reg. No. 44,316	David G. Streeter	Reg. No. 43,168	Christopher Turner	Reg. No. 45,167
Narinder S. Banait	Reg. No. 43,482																								
Adam Warwick Bell	Reg. No. 43,490																								
Lucy J. Billings	Reg. No. 36,749																								
Michael C. Cerrone	Reg. No. 39,132																								
Diana Hamlet-Cox	Reg. No. 33,302																								
Matthew R. Kaser	Reg. No. 44,817																								
Colette C. Muenzen	Reg. No. 39,784																								
Lynn E. Murry	Reg. No. 42,918																								
Danielle M. Pasqualone	Reg. No. 43,847																								
Susan K. Sather	Reg. No. 44,316																								
David G. Streeter	Reg. No. 43,168																								
Christopher Turner	Reg. No. 45,167																								
X	The invention was not made by an agency of the United States Government or under a contract with an agency of the United States Government.																								
ENCLOSURES																									
X	Application Data Sheet (ADS) (5 pp.).																								
X	Blanket Exemption from Requirements Under § 42 U.S.C. 2182 Letter (1 pg.).																								
X	In accordance with 37 CFR 1.63(d), a copy of the originally signed declaration showing applicant's/applicants' signature(s) as filed on (5 pp, signed in counter-part).																								
X	Submission of Formal Drawings (1 pp.); and 32 Sheets of Formal Drawings, including Figures 1A, 1B, 1C, 1D, 1E, 1F, 2, 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 5A, 5B, 5C, 5D, 5E, 5F, 6, 7, and 8).																								
X	Information Disclosure Statement (2 pp.); and List of References Cited PTO-1449 (2 pp.).																								
X	A new Certification under 37 C.F.R. §3.73(b), Revocation of Power of Attorney and Appointment of New Attorneys (2 pp.).																								
X	Submission under 37 CFR § 1.821-1.825 Sequence Listing (1 pg.).																								
X	(One) 1 Substitute CRF diskette containing the sequence listing.																								
CLAIMS AS FILED																									
Claims	Number Filed	Minus	Number Extra	Other Than Small Entity Rate	Fee	Basic Fee	\$																		
							750.00																		
Total Claims	20	-20		x \$18																					
Indep. Claims	2	-3		x \$84																					
Multiple Dependent Claim(s), if any				+ \$280																					
Filing Fee:						\$	750.00																		

FEE CALCULATION AND METHOD OF PAYMENT

The Fee has been calculated as follows:

<input checked="" type="checkbox"/> Fee for filing a Continuation Application Under 37 CFR 1.16 (a):	\$ 750.00
<input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0108 in the amount of :	\$ 750.00

Applicants hereby authorize the Commissioner to treat any concurrent or future reply in this application that requires a petition for an extension of time under 37 CFR 1.136(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time; and to charge all required fees, including fees under 37 CFR 1.16, 1.17, and all required extension of time fees, or to credit any overpayment, to Deposit Account **09-0108**. **This sheet is enclosed in duplicate.**

CORRESPONDENCE ADDRESS (Customer No. 27904)

INCYTE CORPORATION
LEGAL DEPARTMENT
3160 Porter Drive
Palo Alto, California 94304

Phone: (650) 855-0555
Fax: (650) 845-4166 or
(650) 849-8886

Date: July 25, 2003

By: Gina C. Nellesen
Gina C. Nellesen
Reg. No. 52,062
Direct Dial Telephone: (650) 843-7342

Date: 25 July 2003

By: Richard C. Ekstrom
Richard C. Ekstrom
Reg. No. 37,027
Direct Dial Telephone: (650) 843-7352

☐ Inventor(s).

☐ Assignee of complete interest.

☒ Attorney or Agent of record.

☐ Filed under 37 CFR 1.34(a), with Limited Recognition under 37 C.F.R. 10.9 (b).